

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LAISOHN J. QUINCE,

Plaintiff,

ORDER

-against-

23-CV-8185 (LDH)(LB)

JORGE RAMOS, Detective of the NYPD PSA 3
Precinct; MOHAMMAD ABDELFAHATTAH, of the
NYPD PSA E Precinct; and NYPD PSA 3
PRECINCT,

Defendants.

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LASHANN DEARCY HALL, United States District Judge:

Plaintiff Laisohn J. Quince, proceeding pro se, commenced this action on October 31, 2023. (Compl., ECF No. 1.) However, Plaintiff failed to either pay the filing fee or seek a waiver of the fee by filing an application to proceed *in forma pauperis* (“IFP”). By letter dated November 3, 2023, the Clerk of Court informed Plaintiff that he must file an IFP application or pay the filing fee within 14 days in order to proceed with this action. (See Notice of Deficient Filing, ECF No. 2.) On November 8, 2023, Plaintiff submitted a “Request for Reason of Denial for Fee Waiver.” (ECF No. 4.) On November 27, 2023, Plaintiff submitted a “Request for Certificate of Default,” in which he purportedly requests that the Clerk of Court enter a default pursuant to the Honorable Judge LaShann DeArcy Hall not responding to Plaintiff’s “Request for Certificate of Default” within 14 days. (ECF No. 5.) On December 5, 2023, Plaintiff submitted an “Affidavit of truth,” in which he asserts that he is “unable to pay the cost of these proceedings” and that he is “a husband and father of 5” but has no income and no money. (ECF No. 6.) Plaintiff did not explain how he meets his living expenses or supports any of his dependents.

Under 28 U.S.C. § 1914(a), the filing fee to commence a civil action is \$350, plus an additional cost of \$55, for a total fee of \$405. Under 28 U.S.C. § 1915, the Court may waive the

filing fee upon finding a plaintiff to be indigent. A litigant qualifies to proceed IFP if he “cannot because of his poverty ‘pay or give security for’ the costs of filing ‘and still be able to provide’ himself and dependents ‘with the necessities of life.’” *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948). The statute is designed to ensure that “indigent persons have equal access to the judicial system.” *Davis v. NYC Dept. of Educ.*, No. 10-CV-3812, 2010 WL 3419671, at *1 (E.D.N.Y. Aug. 27, 2010). A plaintiff seeking to proceed IFP must submit an affidavit stating “that the person is unable to pay” filing fees “or give security therefor” and must also include “a statement of all assets” the person possesses. 28 U.S.C. § 1915(a)(1).

For the reasons stated above, Plaintiff’s motion for leave to proceed *in forma pauperis* is denied without prejudice. In light of Plaintiff’s pro se status, the Court grants Plaintiff 30 days to pay the filing fee or submit a request to proceed without the prepayment of the filing fee. If Plaintiff wishes to proceed with this action without paying the filing fee, Plaintiff must provide a statement of his assets and show his expenses and liabilities.

If Plaintiff fails to submit the filing fee or a completed IFP application within 30 days from the date of this order, Plaintiff’s complaint will be dismissed without prejudice. *See, e.g., Bey v. Queens Cnty., Supreme Cts.*, No. 19-CV-2038 (WFK)(PK), 2019 WL 11690197, at *2 (E.D.N.Y. May 1, 2019) (dismissing the action without prejudice where plaintiffs’ submissions failed to “describe [p]laintiffs’ ability to pay the required fees or provide a statement of [p]laintiffs’ assets”). No extension shall be granted without good cause shown.

The Clerk of Court is requested to send a copy of this Order, along with the IFP application, to Plaintiff at the address provided.¹ No response from the defendants to this action is required at this time.

¹ A fillable version of the Long Form IFP application is also available on the Court’s website at https://www.uscourts.gov/sites/default/files/ao240_0.pdf.

SO ORDERED.

/s/ LDH
LASHANN DEARCY HALL
United States District Judge

Dated: April 23, 2025
Brooklyn, New York